



DEPARTMENT OF HEALTH  
DIVISION OF ENVIRONMENTAL HEALTH

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DIVISION OF  
OIL, GAS & MINING

**CERTIFIED MAIL**  
**(Return Receipt Requested)**

December 7, 1988

Mr. Gerald Schurtz  
B.P. Minerals America  
1515 Mineral Square  
Salt Lake City, Utah 84112

Re: B.P. Minerals  
Barney's Canyon  
Unauthorized Construction

Dear Mr. Schurtz:

An inspection of the Barney's Canyon project was conducted on 2 December 1988 by Bob Ramsey, Leif Jacobsen, and Tracy Braun of B.P. Minerals, Brian Buck and Rick Pole of JBR Consultants, Paul Kaplan of Sergeant, Hauskins and Beckwith, Mel Muir of Salt Lake City/County Health Department and Mack Croft and Charlie Dietz of the Bureau of Water Pollution Control.

The inspection established that two process ponds of approximately 5,000,000 gallons each have been constructed with the exception of the liner systems. This action is in contradiction to the verbal instructions given to Mr. Tracy Braun of your staff on the process pond site during an inspection conducted 7 November 1988 by Mr. Charlie Dietz of my staff. It must be further noted that at the time of this inspection no work had been done in the process pond area.

Also a letter dated 10 November 1988, sent certified mail return receipt requested, stated that "further work for rough grading of the heap leach pad or process ponds cannot be permitted until the plans for the same have been reviewed and approved."

Be advised that in accordance with UCA 26-11-6, UCA 26-11-8 and R448-1-2, B.P. Minerals America must cease all construction activities involving the heap leach pads, process ponds, process piping, in addition to any other portions of the project which have the potential to impact surface and ground water, until plans and specifications for the entire project have been submitted for review and approval and a construction permit has been issued. The only activity which can proceed with regard to the above listed facilities is stripping, grubbing and general site preparation.

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We are concerned that construction has proceeded to this extent on these facilities and advise you that any modifications to completed work or other demonstrations of adequacy to conform with yet to be approved plans and specifications will be the responsibility of B.P. Minerals.

Please call Mack Croft or Charlie Dietz of my staff if there are any questions.

Sincerely,

Utah Water Pollution Control Committee



Don A. Ostler, P.E.  
Executive Secretary

cc: Fred Nelson, Assistant Attorney General  
Mr. Bob Ramsey, General Manager Barney's Canyon  
Mr. Leif Jacobsen, Barney's Canyon Gold Project  
Mr. Kent Miner, Salt Lake City/County Health Department  
Mr. Brian Buck, JBR Consultants  
~Mr. Lowell Braxton, Oil, Gas and Mining

CGD/ag  
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